

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/859,378	05/20/97	SANDERFORD	H 6926-007-20-

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LM02/0819

EXAMINER

TSE, Y

ART UNIT	PAPER NUMBER
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2734

DATE MAILED: 08/19/98

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/859,378

Applicant(s)
Sanderford et al.

Examiner
Young T. Tse

Group Art Unit
2734



☒ Responsive to communication(s) filed on May 20, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 65-101 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 65-71, 75-77, 84-86, 92, 94, and 95 is/are allowed.

☒ Claim(s) 72-74, 78-83, 87-91, 93, and 96-101 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on May 20, 1997 is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: numerals "R6" and "R7" are not shown in Fig. 2 as mentioned in the specification. Correction is required.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: numerals "6" and "7" shown in Fig. 2 are not mentioned in the specification. Correction is required.
3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

Specification

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
5. The disclosure is objected to because of the following informalities:

In regard to the amendment to the specification on page 1, line 4, applicant is requested to change "08/08/487,523" to --08/487,523--, and to update the Serial No. 07/782,345, now U.S.

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Patent No. 5,598,427.

In regard to page 4, line 21, "a error detection" should read --an error detection--.

In regard to page 27, line 3, "59" should read --159--.

For the formality of the application under the present office practice, applicant(s) is required to replace "WHAT IS CLAIMED AS NEW AND DESIRED TO BE SECURED BY LETTERS PATENT OF THE UNITED STATES IS:" with "I or We Claim", "The invention Claimed Is" (or the equivalent) before the Claims part of the specification of the instant application. See MPEP 608.01(m).

Appropriate correction is required.

6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the specification fails to provide proper antecedent basis for the claimed subject matter: such as, a radio frequency transmit-only device comprises an information priority mechanism that is configured to increase a rate of information transmission when a sensor data input to the radio frequency transmit-only device changes, as recited in claim 78; the radio frequency transmit-only device comprises a data rate between 14 kb/s and 21 kb/s and a chip rate between 1.0 Mc/s and 1.3 Mc/s, as recited in claims 85 and 88. According to the specification, "Mc/s" appears to read --MHz--.

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Claim Objections

7. Claims 71 and 100 are objected to because of the following informalities: in claim 71, line 1, "66" should read --65--, and in claim 100, line 4, "said RF" should read --said radio frequency--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. Claims 72-74, 78-83, 87-91, 93, and 96-101 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The dependent claim 72 is vague and indefinite since claim 67 recites the chip code sequence used to provide SS signal instead of preamble, and no chip code sequence used to produce the preamble, as recited in claims 68-70.

Dependent claim can not depend on claims 70 and 73-77 because the processor and the wake-up circuit are already recited in the claims.

In claim 73 (lines 9 and 11); claim 87 (lines 18-19); claim 91 (line 9); and claim 93 (lines 15-16); the phrases "said message", "said time interval", "said pseudo random time interval", and "said pseudo random time interval value" all lack antecedent basis.

In claim 74, lines 16-19, the repeated processor and the crystal oscillator are not understood.

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Allowable Subject Matter

9. Claims 65-71, 75-77, 84-86, 92, and 94-95 are allowed.
10. Claims 72-74, 78-83, 87-91, 93, and 96-101 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
11. The following is a statement of reasons for the indication of allowable subject matter:

Ficarra et al. (5,475,707) disclose a broadband communication system which includes a transmitter circuit for receiving a sensor signal from a sensor circuit and transmitting information to a receiver circuit. However, none of the Prior art references show or suggest the transmitter includes an oscillator coupled to a microprocessor with chip code generation circuit, preamble register, address register and data register.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051 or (703) 308-9052, (for formal communications intended for entry)

Or:

(703) 305- 5403, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

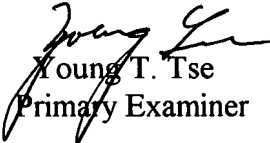
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Young Tse whose telephone number is (703) 305-4736. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 5:30 PM.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

August 17, 1998


Young T. Tse
Primary Examiner